



DISTRICT COURT OF MARYLAND FOR Washington County

Located at 36 West Antietam St, Hagerstown, Maryland 21740



Case No. D-112-CR-23-003237

STATE OF MARYLAND

VS.

DISCAVAGE, JOHN

22 YANKEE DRIVE

KEEDYSVILLE, MD 21756-0000

CC#:

SID:

FBI#:

LID:

DL#:

Race: W Sex: M

Ht: 5' 08"

Wt: 215

Hair: BRO Eyes: BRO

DOB: 01/22/1974

Home phone:

Cellphone:

Charge | Statute | Arrest

Charge | Statute | Arrest

ASSAULT-SEC DEGREE | CR 3 203 |

CRIMINAL SUMMONS ON CHARGING DOCUMENT

STATE OF MARYLAND, Washington County, to wit:

To the defendant:

YOU ARE SUMMONED AND COMMANDED to appear for a Trial/Hearing on a date to be set by the Clerk to answer the charge(s) lodged against you in the charging document attached hereto.

NOTICE TO DEFENDANT: If you fail to appear at the place, time and date set forth above, a warrant for your arrest may be issued. If you change your name, address, or telephone number, you must notify the court at the above location prior to the hearing/trial date. To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. **TTY users call Maryland RELAY: 711.** Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

Date: 06/16/2023

Judge/Commissioner/Clerk:

ID: B044

Given to: WASHINGTON COUNTY SHERIFF'S DEPT

NOTICE TO OFFICER: If not served by 07/16/2023, return to the Court.

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this Summons and Charging Document and hereby promise to appear in the District Court as directed by the Summons. I understand that acceptance of this Summons is not an admission of guilt but that my failure to appear at the place, time and date herein set forth will result in the issuance of a warrant for my arrest.

Date: _____

Signature of Defendant: _____

RETURN OF SERVICE

☐ I certify that I delivered a copy of this Summons and Charging Document to the defendant personally at

_____ o'clock _____ M. on _____ at _____
Date Place

☐ I certify that the defendant could not be found.

☐ I certify that I personally attempted to deliver a copy of this Summons and Charging Document to the defendant, but they refused to accept and/or sign a receipt for the document(s).

Signature of Issuing Officer

Officer's Title

Printed Name of Officer

Date

Agency, Sub Agency, I.D.



DISTRICT COURT OF MARYLAND FOR Washington County

Located at 36 West Antietam St, Hagerstown, Maryland 21740



Case No. D-112-CR-23-003237

STATE OF MARYLAND

VS.

DISCAVAGE, JOHN

COMPLAINANT:

AUFDEM-BRINKE, CHARLOTTE
9807 POND RUN COURT
MYERSVILLE, MD 21773

22 YANKEE DRIVE
KEEDYSVILLE, MD 21756

CC#:

LID:

Race: W Sex: M

DOB: 01/22/1974

SID:

DL#:

Ht: 5' 8"

Home phone:

Wt: 215

FBI#:

Hair: BRO Eyes: BRO

Cellphone:

STATEMENT OF CHARGES

UPON THE FACTS CONTAINED IN THE APPLICATION OF AUFDEM-BRINKE, CHARLOTTE IT IS FORMALLY CHARGED THAT DISCAVAGE, JOHN at the dates, times and locations specified below:

NUM	CHG/CIT	STATUTE	PENALTY	DESCRIPTION OF THE CHARGE
001	1 1415	CR 3 203	10 Y &/or \$2,500.00	ASSAULT-SEC DEGREE On or About 09/16/2022 22 YANKEE DRIVE KEEDYSVILLE, WASHINGTON COUNTY, MD did assault Charlotte Aufdem-Brinke in the second degree in violation of CR 3-203, contrary to the form of the act of the assembly in such case made and provided and against the peace, government, and dignity of the state. Against the Peace, Government, and Dignity of the State.

Date : 06/16/2023 Time : 6:23 AM

Tracking No. 231001278034

Judicial Officer: _____

B044

NOTICE OF ADVICE OF RIGHT TO COUNSEL FOR ALL JUDICIAL PROCEEDINGS

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested and remain in custody, you have the right to have a judicial officer decide whether you should be released from jail until your trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
 - (A) explaining the charges in this paper;
 - (B) telling you the possible penalties;
 - (C) explaining any potential collateral consequences of a conviction including immigration consequences;
 - (D) helping you at trial;
 - (E) helping you protect your constitutional rights; and
 - (F) helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.2 to review an order of a District Court commissioner regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. To apply for Public Defender representation, contact a District Court commissioner.
8. If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

Contact information for District Court Commissioner's Offices can be found at:

<http://www.mdcourts.gov/district/directories/commissionermap.html>

If you require further information about qualifying for a Public Defender, call 1-833-453-9799.

NOTICE TO DEFENDANT

1. **MUST APPEAR** - If the offense with which you are charged is a 'MUST APPEAR' offense, you may not waive trial but are required to appear in court when notified. PLEASE NOTE THAT FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST.
2. **PRESET FINE** - You must either pay the preset fine, request a waiver hearing, or request a trial date within 30 days after receipt of the citation/summons/warrant.

NOTE: If charged by citation, follow instructions on the citation. **IF CHARGED BY STATEMENT OF CHARGES (SUMMONS OR WARRANT), CHECK ONE OF THE FOLLOWING OPTIONS, SIGN AND DATE, AND MAIL THIS FORM, ALONG WITH A COPY OF THE STATEMENT OF CHARGES (SUMMONS OR WARRANT) TO THE ADDRESS SHOWN BELOW:**

☐ **OPTION #1:**

Pay the full amount of the preset fine at any District Court of Maryland location, or with a credit card at the Maryland Judiciary Website or by phone (see below) or by mail to the address shown below.

To pay by mail:

- Make your check or money order payable to the District Court of Maryland. Include citation number(s) you wish to pay on check.
- An additional \$10 service fee will be imposed for each dishonored check.

☐ **OPTION #2:**

Request a Waiver Hearing: I admit I committed the violation in this Statement of Charges, and I request a waiver hearing to explain the circumstances to a judge. I understand this is not a trial, the officer and witnesses will not be present, and my appearance in court is for sentencing only.

☐ **OPTION #3:**

Request a trial date: I request a trial date for the violation(s) charged.

Date

Signature

**District Court Traffic Processing Center
District Court of Maryland
P.O. Box 6676
Annapolis, MD 21401-0676**

Please note that payment in full of the preset fine will close the violation and result in the entry of a conviction for the violation(s). Please note further that points will be assessed by Motor Vehicle Administration (MVA) on your driving record after conviction of a violation of the Motor Vehicle Laws of this State. If you fail to comply with one of the above options within 30 days of receipt of a citation/summons/warrant, MVA will be notified and may take actions to suspend your license. Driving on a suspended license is a criminal offense for which you could be incarcerated.

FOR MORE INFORMATION AND TO PAY CITATIONS:

Visit the MD Judiciary Website at www.mdcourts.gov/district or call the Interactive Voice Response (IVR) System for trial dates, court locations, and directions.

From all areas including out-of-state calls: 1-800-492-2656

TTY users call Maryland RELAY: 711

I have read or have had read to me the contents of the above notice and acknowledge receipt of a copy thereof.

Date

Defendant

Date

Judge/Commissioner

IMPORTANT NOTICE

The attached papers charge you with committing a crime. Depending on the crime charged, a **jail sentence** could be imposed by the court if you are found guilty. You have a right to be represented at trial by a lawyer. **ACT IMMEDIATELY** to obtain a lawyer. If you cannot afford a lawyer, you may apply for the Public Defender through the **District Court Commissioner** who will determine if you are eligible for the Public Defender to represent you at trial. If you wait too long to retain the Public Defender or private counsel you can be made to stand trial without a lawyer. Applications are accepted at any District Court Commissioner's Office during operating hours. Please contact the office listed below for operating hours:

District Court Commissioner Station for Washington County
500 WESTERN MARYLAND PARKWAY
Hagerstown, MD 21740
1-833-453-9799

You should bring the following papers to apply for the Public Defender's services:

1. Court charging documents/traffic tickets. (Statement of Charges/all documents issued to you by court).
2. Trial date notices from the court. (You may apply even if no trial date has been received.)
3. If you are employed:
Written proof of salary, pay stubs, or other written verification of income for the last two pay periods.
4. If you are unemployed:
Proof of public assistance, medical assistance, Social Security or Supplemental Security Income (SSI), or other assistance you are receiving.

For more information on operating hours or locations visit the Maryland Judiciary website:
mdcourts.gov/district/directories/commissionermap
If you require further information about qualifying for the Public Defender, call 1-833-453-9799.

IMPORTANT

IF THE COMMISSIONER DETERMINES THAT YOU ARE ELIGIBLE TO BE REPRESENTED BY THE PUBLIC DEFENDER AT TRIAL, YOU WILL RECEIVE A **FINAL QUALIFICATION** IN WRITING. ONCE YOU HAVE RECEIVED THE FINAL QUALIFICATION, ALL QUESTIONS SHOULD BE DIRECTED TO THE PUBLIC DEFENDER'S OFFICE:

The address of the Public Defender is:

**81 W. WASHINGTON ST., SUITE A
HAGERSTOWN, MARYLAND 21740**

Their telephone number is: **301-791-4735**

The Office of the Public Defender is open weekdays from 8:30 a.m. to 4:30 p.m.

I have read, or have had read to me, the contents of the above notice and acknowledge receipt of a copy thereof.

DATE

SIGNATURE OF DEFENDANT

**IF YOU DO NOT HAVE A LAWYER ON THE TRIAL DATE, YOU MAY
HAVE TO GO TO TRIAL WITHOUT THE ASSISTANCE OF A LAWYER.**



DISTRICT COURT OF MARYLAND FOR Washington County

☒ (City/County)LOCATED AT (COURT ADDRESS)
36 W. Antietam St.

D-112-CR-23-003237

RELATED CASES:

Hagerstown, MD 21740



COMPLAINANT

DEFENDANT

Charlotte Aufdem-Brinke
Printed Name
9807 Pond Run Court
Address
Myersville MD 21773 301-514-6827
City, State, Zip Telephone
Agency, Sub-agency, and I.D. # (Officer Only)

John Discauge
Printed Name
22 Yankee Drive
Address
Keedysville MD 21756
City, State, Zip Telephone
CC#

DEFENDANT'S DESCRIPTION: Driver's License # Sex M Race W Ht 5'8 Wt 215
Hair Brown Eyes Brown Complexion Tan Other DOB 1/22/74 ID

APPLICATION FOR STATEMENT OF CHARGES

Page 1 of 8

(Include a statement of facts within your personal knowledge (what you saw or heard, what someone said to you, etc.) showing that there is probable cause to believe that a crime has been committed and that the defendant has committed it. Please see the "NOTICE TO APPLICANT FOR A CHARGING DOCUMENT" for further information.)

I, the undersigned, apply for a statement of charges and a summons or warrant which may lead to the arrest of the above named defendant because on or about March 5 2023 at 9807 Pond Run Court Myersville MD 21773
John Discauge, the above named defendant

On the evening of March 5, 2023, John Discauge was at my home at 9807 Pond Run Court. Mr. Discauge had become extremely intoxicated, and was being argumentative, so I went to bed. At that time, Mr. Discauge came into the room and continued to attempt to pick a fight. He was

(Continued on attached pages) (DC-CR-001A)

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Date

Officer's Signature

I have read or had read to me and I understand the notice on the back of this form

Printed Name

6/14/23
Date

Charlotte Aufdem-Brinke
Applicant's Signature
Printed Name

Subscribed and sworn to before me 6/14/2023 at 10:00 ☒ AM ☐ PM
Date Time ID Number
Judge/Commissioner K. B. B. 18044

I understand that a charging document will be issued and that I must appear for trial ☐ on 6/14/2023 at 10:00 ☐ when notified by the clerk, at the court location shown at the top of this form.

☐ The applicant requests reasonable protection for safety of the alleged victim or the victim's family:

☒ I have advised applicant of the right to request shielding. ☒ The applicant declines shielding.
☐ I declined to issue a charging document because of lack of probable cause.

Date

Commissioner

ID Number



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

(City/County)

DISTRICT COURT
CASE NUMBER

D11ZCR23003237

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discauge, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 2 of 8

seemingly jealous that I had several times texted my ex-husband Dan Auden Brinke, with whom I have kids and was simply checking on the kids, among other things related to discussing our business. Mr. Discauge began to pace around the house, continuing to pour himself drinks. He picked up one of my son's footballs and threw it, breaking a picture. Mr. Discauge could not find his phone, and later I believe found it in his car. Mr. Discauge insisted that he was going to leave, and I advised him repeatedly that he should not drive being as intoxicated as he was. I hid his keys to prevent him from driving, and advised that he was welcome to sleep on the couch or to get an Uber but he under no circumstances should drive. At this point, I had gotten out of bed because I could hear him rummaging around. Mr. Discauge then took my purse, and dumped the entire contents out all over my dining room table. He grabbed my key and said that he would take my car. I told him that if he left with my car, I would call the police. I noted that he had made a mess of my purse, and as I turned around away from the table towards Mr. Discauge, he walked at me with a drink still in his hand, and smashed the cell phone I was holding to record the incident into my face as he walked by, pushing me aside

(X)

6/14/23

(X)

Applicant's Signature

(X)

Charlotte Auden Brinke

Printed Name

TRACKING NUMBER



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

DISTRICT COURT
CASE NUMBER

D112CR23003237

(City/County)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discauge, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 3 of 8

and going back out to his car to rummage around. I have video of Mr. Discauge smashing the phone into my face as I exclaim "oww!" At this point, because I did not want further interaction and felt unsafe, I locked my door. Mr. Discauge found his phone in his car and began to text me, up to the point that an Uber came to get him. The next morning, I texted him to let him know I had his keys, he was welcome to them, and that I did not want him driving as intoxicated as he was the night before where he could wind up hurting or killing himself or someone else drinking and driving. As you can see in the video, Mr. Discauge was extremely intoxicated.

at 22 Yankee Drive, Keedysville, MD 21756

On a separate occasion, on Sept 16, 2022, at Mr. Discauge's home at 22 Yankee Drive, I had first told Mr. Discauge the night before that we would need to end the relationship and that I felt he needed to go to rehab for his issue with alcohol use. I awoke early the morning of 9/16/22, after I had told him the relationship was over, to find Mr. Discauge downstairs on his laptop, attempting to take money from our savings account.

(X)

6/14/23

Date

(X)

E. Brinke

Applicant's Signature

(X)

Charlotte A. Brinke

Printed Name

TRACKING NUMBER



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

DISTRICT COURT
CASE NUMBER

D1124223003237

(City/County)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discauge, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 4 of 8

(I was the sole monetary contributor to the account) and use it to pay down his credit cards. When I saw this, I told him that it was essentially stealing to knowingly take what he knew to be my money after I told him the relationship was over. At this point, he jumped up with the laptop and ran upstairs. Fearful that he would continue to take my money, I followed him, at which point he shoved me backwards through the bedroom door and slammed the door closed on my arm, resulting in me yelling out in pain. I then told Mr. Discauge I was calling the police, and he opened the door, pushed past me, and ran downstairs and fled the house. I believe I was already on the phone with the police as he was leaving. An officer came and took a report, and advised me on how to try to get my belongings from Mr. Discauge's home. I moved them out that day, but later realized I had left a few things. Mr. Discauge was not cooperative in allowing me to get them, so on that occasion as well, I called the police to escort me in to get my things - however, once I notified Mr. Discauge that the police were en route, he brought my items outside and I was

(X)

6/14/23

Date

(X)

(X)

Charlotte Aden Brinke

Applicant's Signature

Charlotte Aden Brinke

Printed Name

TRACKING NUMBER



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

DISTRICT COURT
CASE NUMBER

D112CR23003237

(City/County)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discauge, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 5 of 8

able to cancel that call.

at Mr. Discauge's residence at 22 Yankee Drive, Keedysville MD 21756,

On yet another occasion, and I apologize that I do not have the ^{exact} ^(probably July-Aug) date, but it was Summer 2022, Mr. Discauge was drinking and had been angry at my then 9-year old son. He was yelling and told me that he would "pick him up by the scruff and drop-kick him up the stairs." This comment was also witnessed by one of his own children, who then told my son, and he was afraid. This incident occurred at his home, 22 Yankee Drive.

On another occasion in Summer 2022, ^(probably July-Aug) at Mr. Discauge's home at 22 Yankee Drive, Keedysville MD 21756, Mr. Discauge had been drinking and began to talk about how important guns are. I told him I wasn't comfortable with guns, and didn't want anything to do with them. At this point Mr. Discauge started rummaging in his closet and pulled out a shotgun from under a pile of clothes. He began to handle it and to insist that I learn to handle it. Knowing he was heavily intoxicated and being afraid of guns anyway, I was very upset and fearful as I tried to convince him to

X 6/14/23
DateX [Signature]
Applicant's Signature
X Charlotte Hoffman Brink
Printed Name

TRACKING NUMBER



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

DISTRICT COURT
CASE NUMBER

D112CR23003237

(City/County)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discauge, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 6 of 8

please get the gun away. I was also upset that the gun had been so easily accessible and not secured, only loose under a pile of his clothes on his closet floor.

After I moved out of Mr. Discauge's house on 9/16/22, we continued to see each other and I continued to ask Mr. Discauge to get help or to go to rehab. I offered to pay for the rehab. After the incident with Mr. Discauge on 3/5 at my home, I ended the relationship entirely on 3/15, and blocked contact with Mr. Discauge. However, Mr. Discauge was aware that he had promised to repay me over 100,000 that I had invested into his property and into the retainer for the AGC case against him. As I had not been able to resolve this issue privately, I was forced to retain an attorney to represent me in trying to obtain my money back. My attorney notified Mr. Discauge around 4/16 or 4/17 that we would be forced to file suit if Mr. Discauge did not offer a reasonable resolution. At this point, Mr. Discauge arrived at my house, completely unsolicited and without my permission, and left several disturbing notes on my

6/14/23
Date

Applicant's Signature

Charlotte Holden Brinke
Printed Name

TRACKING NUMBER



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

DISTRICT COURT
CASE NUMBER

D112GR23003237

(City/County)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discauge, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 7 of 8

porch while I wasn't home. That same week, Mr. Discauge created a dating profile online and "liked" my new dating profile to bother me. Mr. Discauge was well aware at these times that I did not want contact with him, and I felt was harassing me knowing that I planned to file suit.

The reason that I am bringing all of this to your attention now is that since I have filed suit against Mr. Discauge, and reported his behavior (and the lawsuit) to the AGC, Mr. Discauge has texted and emailed my sister repeatedly, saying untrue things about me and bothering her. She has been afraid, in her words, to tell him to stop or to block him because she says that everytime she tries, he accuses her of "plotting" against him, and being that she has already had a phone call from an anonymous source "doxxing" her at work, and has received back to back calls from blocked numbers, she is fearful. In addition, Mr. Discauge has, in extreme retaliation against

6/14/23
Date

Applicant's Signature

Charlotte A. Edm. Burke
Printed Name

TRACKING NUMBER



DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY

LOCATED AT (COURT ADDRESS)

36 W. Antietam St.

Hagerstown, MD 21740

DISTRICT COURT
CASE NUMBER

D112CR23003237

(City/County)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Discavage, John R

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 8 of 8

me, gone onto facebook posts supportive of me and my business and intentionally released both information he knows to be false, and information about my business that was confidential and privileged, since I had asked his legal advice. He also has seemingly begun to collude and share information with someone he knows I received a protective order and a subsequent consent order against in the past, in what all appears to be an attempt to bully and intimidate me. Because of Mr. Discavage's recent behavior, and not knowing how to get him to stop, I felt it necessary to bring this information today. It is my wish that Mr. Discavage stop his retaliatory, bullying behavior and that he not contact and stay away from me, my children, and my family. Thank you for your consideration.

06/14/23
Date

Applicant's Signature

Charlotte A. Blum-Bonke
Printed Name

TRACKING NUMBER